



US Army Corps
of Engineers

Construction Bulletin

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CEMP-C

Subject: Construction Contract Required Submittals

Applicability: GUIDANCE

1. REFERENCE: CEMP-ET/CECW-ED memorandum to Directors of Engineering and Technical Services, dated 18 July 1995, titled, "Submittals Required by Engineering Divisions in Contract Plans and Specifications", copy enclosed.
2. PURPOSE: This Construction Bulletin (CB) expands on the points made in the referenced memorandum and reinforces the need for a submittals process which lends itself to efficient control of construction quality.
3. BACKGROUND:
 - a. The referenced memorandum addresses an issue raised by Construction elements during the recent Construction and Engineering Chiefs' Conference concerning the large number of submittals required by our construction contracts. The memorandum recognizes that in today's government-wide cost cutting and downsizing mode we can no longer add an extra measure of quality safety factor in our contracts by requiring a wide variety of submittals addressing the same item or feature of work. The authors make a good point by stating, "...in today's environment, where Construction's quality assurance inspection and Engineering's site visits compete with submittal reviews for the same dollars, we need to balance these activities to get the most out of our limited funds."
 - b. Engineer Regulation (ER) No. 415-1-10, Contractor Submittal Procedures, established the submittals system, stating submittals are required for control of construction quality. The construction contractor's specific submittal responsibilities are defined by the inclusion of properly edited CEGS-01305 in the contract specifications. The Corps responsibilities for submittals review and management during construction are defined in ER Nos. 415-1-10 and 1180-1-6, Construction Quality Management.

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c. While the submittals process can be time consuming for both contractor and Corps technical and administrative personnel and can significantly effect construction schedule, procurement, placement, testing, and transfer procedures, it is critical to the success of both the quality control and quality assurance processes. As such, its scope must be carefully thought out during the design process and submittal requirements tailored to trim-fit the specific job. Because submittal approval must be timely to allow procurement and delivery of materials or equipment prior to the preparatory inspection (P/I) phase of the 3-step inspection process, the number and type of submittals required by contract must be kept to the minimum amount sufficient to assure the specified construction quality is achieved.

d. From the contractual standpoint, all required submittals are "important"; however, some are more critical to quality management than others, particularly extensions of design, deviations, and those involving critical materials or equipment which must be compatible with an entire system. By regulation and policy, these critical submittals require Government approval. Review for Government approval can involve construction field and district office, district engineering division, and design Architect-Engineer personnel. Submittals of a less critical nature are usually approved by the contractor and submitted to the Resident or Area Office for information purposes only. As a quality assurance measure, ER Nos. 415-1-10 and 1180-1-6 require Corps review of a percentage of all contractor approved information-only submittals.

e. Observations made during recent Design-Construction Evaluation (DCE) visits confirm that submittal registers sometimes require an excessive number of submittals. Another observation is that some districts require up to seventy five percent of all submittals be for Government approval. The logic apparently has been that if a few submittals are necessary to help protect the Government's interest, a greater number should help even more.

4. RECOMMENDATION: As part of construction division's pre-award activities, field or district office personnel should, during the BCOE process, review the nature and number of submittals on the ENG Form 4288, Submittal Register, which is included in the specifications. The BCOE reviewer should look closely at the nature of submittals indicated for Government approval, comparing them with the types identified in ER 415-1-10 as requiring Government approval. The driving factor should be to have the construction contractor responsible for review of as many submittals as regulation and policy will permit.

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5. This CB was coordinated with Engineering Division, CEMP-E and CECW-E; Operations, Readiness, and Construction Division, CECW-OC; and Office of the Principal Assistant Responsible for Contracting, CEPR.

Encl


CHARLES R. SCHROER
Chief, Construction Division



DEPARTMENT OF THE ARMY

U.S. Army Corps of Engineers
WASHINGTON, D.C. 20314-1000

REPLY TO
ATTENTION OF:

18 JUL 1995

CEMP-ET (1110)
CECW-ED

MEMORANDUM FOR Commanders, Major Subordinate Commands,
ATTN: Directors of Engineering and
Technical Services

SUBJECT: Submittals Required by Engineering Divisions in Contract
Plans and Specifications

1. During the recent Engineering and Construction Chiefs Conference, an issue was raised by Construction concerning the amount of submittals which the plans and specifications require the contractors to submit. The concern is driven by the fact that funds are limited, and that it is doubtful whether Engineering actually has the time to review all the submittals.
2. We recognize that our designers ask for submittals as a means of ensuring the quality of the project. This is certainly true when submittals are extensions of design or when they contain information critical to safety, construction execution, or proper operation of completed project. However, in today's environment, where Construction's quality assurance inspection and Engineering's site visits compete with submittal reviews for the same dollars, we need to balance these activities to get the most out of our limited funds. The districts' Engineering Chiefs should discuss this issue with their design staff and take appropriate steps to ensure that only essential submittals are included in future contracts. They should also ensure that sufficient funds are provided for designers' site visits and for providing engineering support during construction.
3. We have reviewed applicable HQUSACE policies and regulations dealing with this subject and have not noted any requirements which would inhibit your flexibility in this regard. Should your interpretation of these documents indicate otherwise, please notify this office so that necessary clarifications can be made. Points of contact for this action are Ray Navidi for Military Programs and Don Dressler for Civil Works.

DOUGLAS J. KAMIEN, P.E.
Act.-Chief, Engineering Division
Directorate of Civil Works

RICHARD C. ARMSTRONG, P.E.
Chief, Engineering Division
Directorate of Military Programs

CF:
District Commanders, ATTN: Chiefs, Engineering Divisions

ENCLOSURE